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16 APPLE INC.

17 UNITED STATES DISTRICT COURT  
18 SOUTHERN DISTRICT OF CALIFORNIA

19 WI-LAN, INC.,

20 Plaintiff,

21 v.

22 APPLE INC.,

23 Defendant.

24 CASE NO. 3:14-cv-1507-DMS-BLM  
(consolidated);

25 CASE NO. 3:14-cv-02235-DMS-BLM  
(lead case)

26 **APPLE INC.'S MOTION FOR LEAVE  
TO FILE DOCUMENTS UNDER SEAL**

27 Dept: 13A

28 Judge: Hon. Dana M. Sabraw

Magistrate Judge: Hon. Barbara L. Major

29 AND RELATED  
30 COUNTERCLAIMS

1                   Apple Inc. (“Apple”) files this motion for leave to file under seal certain  
 2 documents submitted in connection with Apple’s Motion For Judgment As A  
 3 Matter of Law At The Close Of Plaintiff’s Case Pursuant To Fed. R. Civ. P. Rule  
 4 50(A) (“JMOL”) and the Declaration of Erin Gibson in Support of Apple’s JMOL  
 5 (“Gibson Declaration”).

6                   Pursuant to Civil L.R. 79.2 and the Protective Order in this case, Apple  
 7 submits this administrative motion for an order to seal the following document:

<b>Apple’s Motion For Judgment As A Matter of Law At The Close Of Plaintiff’s Case Pursuant To Fed. R. Civ. P. Rule 50(A)</b>	
<b>Document</b>	<b>Content</b>
Apple’s JMOL	<p>This document is the unredacted version of Apple’s JMOL.</p> <p>This brief was designated by Apple as “Confidential – Attorneys’ Eyes Only.”</p>
Exhibit 2	<p>This document contains excerpts from PDX-02, the demonstrative slides of Prof. Madisetti (“Madisetti Slides”).</p> <p>This document was designated by Wi-LAN as “Qualcomm – Outside Counsel’s Eyes Only” and “Confidential – Attorneys’ Eyes Only – Restricted.”</p>

19                   Apple respectfully requests that the Court seal certain materials designated  
 20 by Apple and/or Wi-LAN as “Confidential – Attorneys’ Eyes Only,” “Confidential  
 21 – Attorneys’ Eyes Only – Restricted,” and “Qualcomm – Outside Counsel’s Eyes  
 22 Only.” The materials Apple seeks to seal are (1) an unredacted version of Apple’s  
 23 JMOL, and (2) excerpts from the Madisetti Slides (Ex. 2) under the Protective  
 24 Order (Dkt. No. 99) and the Qualcomm Protective Order (Dkt. No. 100) entered in  
 25 this litigation

26                   The JMOL Motion has been designated by Apple as “Confidential –  
 27 Attorneys’ Eyes Only” and contains references to materials designated by Apple

1 and/or Wi-LAN as confidential under the Protective Order entered in this litigation.  
 2 Apple does not seek leave to file under seal the entirety of the JMOL, and only  
 3 seeks to seal the portions relating to Apple and/or Wi-LAN confidential  
 4 information. Specifically, the JMOL references confidential and sensitive  
 5 information such as technical information regarding the operation and functionality  
 6 of Apple's products as well as sensitive financial and proprietary business  
 7 information about Apple's business and its accused products. Because the  
 8 unredacted JMOL contains sensitive Apple technical and financial information,  
 9 good cause exists to seal these materials. *See* Gibson Decl. ¶ 4. Additionally, the  
 10 JMOL contains information that Wi-LAN has designated as confidential under the  
 11 Protective Order. Apple intends to file a redacted version of the JMOL.

12 The Madisetti Slides (Ex. 2) have been designated by Wi-LAN as  
 13 "Qualcomm – Outside Counsel's Eyes Only" and "Confidential – Attorneys' Eyes  
 14 Only – Restricted" under the Protective Order and Qualcomm Protective Order.  
 15 Therefore, good cause exists to seal the Madisetti Slides.

16 For the above mentioned reasons, Apple therefore respectfully requests that  
 17 the Court grant this motion to seal. Apple is submitting a proposed order to the  
 18 Court.

19 Dated: July 31, 2018

DLA PIPER LLP (US)

20  
 21 By /s/ Erin Gibson  
 22 JOHN ALLCOCK  
 23 SEAN C. CUNNINGHAM  
 24 ERIN GIBSON  
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 APPLE INC.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 31, 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants.

/s/ *Erin Gibson*  
Erin Gibson